

USDS SDNY

DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED: 11-14-07

Gallo Vitucci Klar Pinter & Cogan

185 Madison Avenue, 12th Floor
New York, New York 10016
Telephone (212) 683-7100
Facsimile (212) 683-5555
www.gvlaw.com

New Jersey Office:
140 Sylvan Avenue
Englewood Cliffs, NJ 07632
Telephone (201) 242-1011
Facsimile (201) 461-2621

November 12, 2007

FAX: (212) 805-6382
Hon. Victor Marrero
United States District Judge

Re: **VAZQUEZ v. CLASSIC CRUISERS, et al.**
Federal Court No.: 07 CIV 6239 (VM)(JCF)

Dear Judge Marrero:

Please allow the following to serve as the parties' joint letter submission in anticipation of the initial conference.

Brief description of case

This is an action for personal injuries involving claims of negligence in connection with a motor vehicle accident that occurred on June 10, 2006. Plaintiff claims that the defendant carelessly, recklessly and negligently turned his bus into the plaintiff's lane of travel, the front driver's side of defendant's bus striking and colliding into the passenger's side of plaintiff's vehicle. The defendants claim that the accident occurred because of plaintiff's culpable conduct in turning his vehicle into defendant's lane of traffic.

As a result of the accident, plaintiff is claiming a disc herniation at L4-L5, disc herniation at L5-S1; and lumbosacral radiculopathy; possible future lumbar surgery; and cervical damage and derangement. Defendants claim that plaintiff did not suffer a serious injury as is required by the New York State Insurance Law Section 5102 and that all of plaintiff's claimed injuries are preexisting and degenerative.

Hon. Victor Marrero
VAZQUEZ v. CLASSIC CRUISERS, et al.
Page 2

Anticipated motions

Upon the completion of discovery, the defendants intend to move for summary judgment on the basis that plaintiff did not suffer a serious injury in connection with this accident.

Settlement prospects

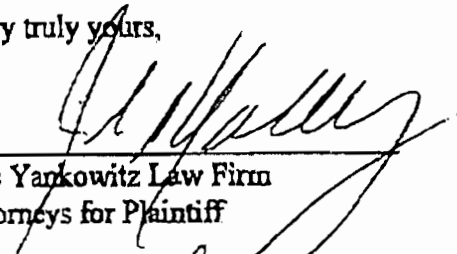
The parties have not yet discussed the possibility of settling this case, but would be amenable to participating in the Court's non-binding alternate dispute resolution.

Proceed before Magistrate

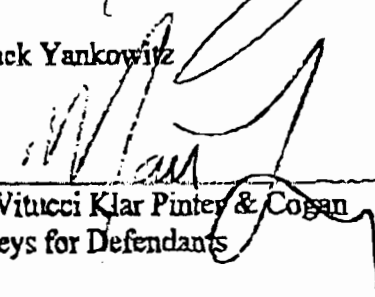
The parties consent to the matter being supervised by the Magistrate Judge for all purposes, except trial.

Thank you for your time and attention.


Very truly yours,


The Yankowitz Law Firm
Attorneys for Plaintiff

By: Jack Yankowitz


Gallo Vitucci Klar Pinter & Cogan
Attorneys for Defendants

By Matthew P. Levy

Request GRANTED. The <u>initial</u>	
conference herein is rescheduled to <u>11-30-07</u>	
at <u>9:30 a.m.</u>	
SO ORDERED.	
<u>11-14-07</u>	
DATE	VICTOR MARRERO, U.S.D.J.